

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/767,408

Filing Date 1/28/2004

First Named Inventor Harvey A. Fishman

Art Unit 3738

Examiner Name Not Yet Assigned

Attorney Docket Number S00-188/CIP

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Statement Concerning Inventorship Recordation, Declaration, Assignment, Consent of Assignee
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Lumen Intellectual Property Services, Inc.		
Signature			
Printed name	Ron Jacobs		
Date	5-18-05	Reg. No.	50,142

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	SYLVIA LEE	Date	5/18/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.)

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 170.00)

**Complete if Known**

Application Number	10/767,408
Filing Date	1/28/2004
First Named Inventor	Harvey A. Fishman
Examiner Name	Not Yet Assigned
Art Unit	3738
Attorney Docket No.	S00-188/CIP

**METHOD OF PAYMENT** (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP = _____	x _____	= _____				
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 or HP = _____	x _____	= _____				
HP = highest number of independent claims paid for, if greater than 3						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Recordation Fee (\$40)+Petition Fee (\$130.00)

\$170.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 50,142	Telephone 650-424-0100
Name (Print/Type)	Ron Jacobs		Date 5-18-05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/23/2005 GWORDDF1 00000013 10767408

02 FC:1464

130.00 0P



IFW

**In the US Patent and Trademark Office**

**Petition under 37 CFR 1.48(a)  
Correction of Inventorship in a Patent Application**

Application No.: 10/767,408

Filing Date: 1/28/2004

Title: "Microfabricated Tissue as a Substrate for Pigment Epithelium Transplantation"

To: Special Handling Unit  
Application Division  
Assistant Commissioner for Patents  
Alexandria, VA 22313

Sir:

This is a request under the provisions of 37 CFR 1.48(a) to correct the inventorship in the above referenced patent application. In the application as originally filed, the actual inventors were not correctly named due to an error made without any deceptive intention. Accordingly, please amend the application to name the actual inventors, as indicated below:

Original named inventors:

Harvey A. Fishman, Mark Blumenkranz, Stacey Francine Bent, Christina Lee, Philip Huie Jr. and Daniel V. Palanker


Actual (correct) inventors:

Harvey A. Fishman, Mark Blumenkranz, Stacey Francine Bent, Christina Lee, Philip Huie Jr., Daniel V. Palanker and Kalayaan V. Bilbao

Accompanying this petition is:

- a statement signed by the inventor to be added (Kalayaan V. Bilbao);
- a declaration signed by each actual inventor as required by 37 CFR 1.63;
- the petition fee set forth in 37 CFR 1.17(h);
- an assignment signed by the inventor to be added (Kalayaan V. Bilbao); and
- the written consent of the assignee.

Respectfully submitted,

  
Ron Jacobs  
Reg. No. 50,142

**Consent of Assignee to  
Correct Inventorship in a Patent Application**

Application Number: 10/767,408  
Filing Date: 1/28/2004  
Applicants: Harvey A. Fishman et al.  
Application Title: "Microfabricated Tissue as a Substrate for Pigment Epithelium Transplantation"

The undersigned assignee, **The Board of Trustees of the Leland Stanford Junior University**, owns the entire right, title and interest in and to the above identified application.

The assignee consents to the change of inventorship from **Harvey A. Fishman, Mark Blumenkranz, Stacey Francine Bent, Christina Lee, Philip Huie Jr. and Daniel V. Palanker** to **Harvey A. Fishman, Mark Blumenkranz, Stacey Francine Bent, Christina Lee, Philip Huie Jr., Daniel V. Palanker and Kalayaan V. Bilbao**.

Assignee: **The Board of Trustees of the Leland Stanford Junior University**

Official Authorized to Act on Behalf of Assignee:

Signature: Katherine Ku Date: 4/21/05  
Name: Katherine Ku  
Title: Director, Stanford Office of Technology Licensing



## Statement Concerning Inventorship

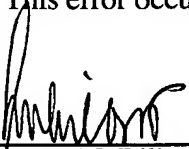
Application No.: 10/767,408

Filing Date: 1/28/2004

Title: "Microfabricated Tissue as a Substrate for Pigment Epithelium Transplantation"

As an actual inventor not named on the declaration originally filed with the above identified patent application, I do solemnly and sincerely state the following:

- The inventorship as set forth in the originally filed declaration is in error.
- This error occurred without deceptive intention on my part.

---

Kalayaan V. Bilbao

## Declaration for Patent Application and Power of Attorney

As a below named inventor, I hereby declare that my residence, post office address, and citizenship are as stated below next to my name, and I have the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought on the invention described in 10/767,408, filed on 1/28/2004 entitled **Microfabricated Tissue as a Substrate for Pigment Epithelium Transplantation.**

First or Sole Inventor:	Full name:	HARVEY A. FISHMAN	Citizenship:	US
	Residence:	400 Claremont Way, Menlo Park, CA 94025		
	Postal Address:	Same as above		
Second Joint Inventor (if any):	Full name:	MARK BLUMENKRANZ	Citizenship:	US
	Residence:	20 Larguita Lane, Portola Valley, CA 94028		
	Postal Address:	Same as above		
Third Joint Inventor (if any):	Full name:	STACEY FRANCINE BENT	Citizenship:	US
	Residence:	3252 Cowper, Palo Alto, CA 94304		
	Postal Address:	Same as above		
Fourth Joint Inventor (if any):	Full name:	CHRISTINA LEE	Citizenship:	US
	Residence:	662 Panorama Drive, San Francisco, CA 94131		
	Postal Address:	Same as above		
Fifth Joint Inventor (if any):	Full name:	PHILIP HUIE, JR.	Citizenship:	US
	Residence:	7614 Kirwin Lane, Cupertino, CA 95014		
	Postal Address:	Same as above		
Sixth Joint Inventor (if any):	Full name:	DANIEL V. PALANKER	Citizenship:	Israel
	Residence:	1618 Wright Ave., Sunnyvale, CA 94087		
	Postal Address:	Same as above		
Seventh Joint Inventor (if any):	Full name:	KALAYAAN V. BILBAO	Citizenship:	Philippines
	Residence:	3516 Burton Ridge Dr. SE, Grand Rapids, MI 49546		
	Postal Address:	Same as above		

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### PRIOR FOREIGN APPLICATION(S)

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. §119
NONE			<input type="checkbox"/> Yes <input type="checkbox"/> No

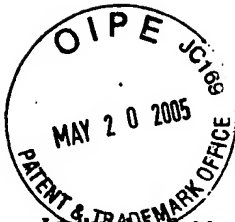
I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

### PRIOR U. S. APPLICATION(S)

Application No.	Filing Date	Status
09/872,513	6/1/2001	<input type="checkbox"/> Provisional <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Regular

I hereby appoint Thomas J. McFarlane, Reg. No. 39,299, Marek Alboszta, Reg. No. 39,894, Ron Jacobs, Reg. No. 50,142, Katharina Wang Schuster, Reg. No. 50,000, Robert Lodenkamper, Reg. No. 55,399, and Tianhua Gu, Reg. No. 52,480 as my agents with full power of substitution to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. Direct all correspondence to:

**Lumen Intellectual Property Services, Inc.**  
 2345 Yale Street, 2<sup>nd</sup> Floor  
 Palo Alto, CA 94306  
 tel: (650) 424-0100  
 fax: (650) 424-0141



500-188/cp

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## INVENTOR SIGNATURES

HARVEY A. FISHMAN

Date

KALAYAAN V. BILBAO

Date

MARK BLUMENKRANZ

Date

STACEY FRANCINE BENT

Date

CHRISTINA LEE

Date

PHILIP HOIE JR.

Date

DANIEL V. PALANKER

Date

Declaration, page 2 of 1

BEST AVAILABLE COPY

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## INVENTOR SIGNATURES

---

HARVEY A. FISHMAN

---

Date

---

KALAYAAN V. BILBAO

---

Date

---

MARK BLUMENKRANZ

---

Date

---

STACEY FRANCINE BENT

---

Date

---

CHRISTINA LEE

---

Date

---

PHILIP HUIE JR.

---

Date

---

  
DANIEL V. PALANKER

---

Date

4/27/05



I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## INVENTOR SIGNATURES

---

HARVEY A. FISHMAN

---

Date

---

KALAYAAN V. BILBAO

---

Date

---

MARK BLUMENKRANZ

---

Date

---

*Stacey J Bent*  
STACEY FRANCINE BENT

---

Date

---

*Christina Lee*  
CHRISTINA LEE

---

Date

---

PHILIP HUIE JR.

---

Date

---

DANIEL V. PALANKER

---

Date

MAY 20 2005

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR SIGNATURES

HARVEY A. FISHMAN

Date

MARK BLUMENKRANZ

Date

STACEY FRANCINE BENT

Date

CHRISTINA LEE

Date

PHILIP HUIE JR.

Date

DANIEL V. PALANKER

Date

  
KALAYAAN V. BILBAO

4-21-05  
Date

BEST AVAILABLE COPY

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**HARVEY A. FISHMAN**

Date \_\_\_\_\_

**KALAYAAN V. BILBAO**

Date \_\_\_\_\_

**MARK BLUMENKRANZ**

Date \_\_\_\_\_

**STACEY FRANCINE BENT**

Date \_\_\_\_\_

**CHRISTINA LEE**

Date \_\_\_\_\_

**PHILIP HUE JR.**

Date \_\_\_\_\_

**DANIEL V. PALANKER**

Date \_\_\_\_\_



I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## INVENTOR SIGNATURES

HARVEY A. FISHMAN

Date

KALAYAAN V. BILBAO

Date

MARK BLUMENKRANZ

Date

STACEY FRANCINE BENT

Date

CHRISTINA LEE

Date

PHILIP HUIE JR.

Date

DANIEL V. PALANKER

Date